

117TH CONGRESS  
1ST SESSION

# H. R. 4729

To amend the Water Resources Reform and Development Act of 2014 to allow the Administrator of the Environmental Protection Agency, the Secretary of the Department of the Interior and other agencies to provide grants, assistance, studies, Federal coordination, and essential restoration and protection of the Mississippi River Corridor for the purpose of sustaining critical environmental services and the major U.S. economies that depend on them and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2021

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Water Resources Reform and Development Act of 2014 to allow the Administrator of the Environmental Protection Agency, the Secretary of the Department of the Interior and other agencies to provide grants, assistance, studies, Federal coordination, and essential restoration and protection of the Mississippi River Corridor for the purpose of sustaining critical environmental services and the major U.S. economies that depend on them and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1   **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Andrew J. Young Safe-  
3   guarding the Mississippi River Together Act” or the “An-  
4   drew J. Young SMRT Act” or “Andy’s Mississippi River  
5   Bill” or “Andy’s Bill”.

6   **SEC. 2. ESTABLISHING A COMPREHENSIVE MISSISSIPPI**  
7                   **RIVER PROGRAM TO PROTECT AND SUSTAIN**  
8                   **THE MISSISSIPPI RIVER MAIN STEM.**

9       Title IV of the Water Resources Reform and Develop-  
10   ment Act of 2014 (128 Stat. 1308; Public Law 113–121;  
11   33 U.S.C. 605a) is amended, after section 4002, by insert-  
12   ing at the following:

13   **“SEC. 4002A. NATIONAL MISSISSIPPI RIVER PROGRAM.**

14       “(a) GENERAL AUTHORITY.—

15           “(1) IN GENERAL.—The Administrator of the  
16   Environmental Protection Agency (EPA) in close co-  
17   ordination and cooperation with the Secretary of the  
18   Department of Interior (Interior), and in consulta-  
19   tion with the Department of Transportation, the De-  
20   partment of Agriculture, and the U.S. Army Corps  
21   of Engineers may enter into agreements with an eli-  
22   gible State or division of local government to develop  
23   a National Mississippi River Program Office, provide  
24   grants, assistance, studies, coordination, and essen-  
25   tial restoration and protection of the Mississippi  
26   River Corridor for the purposes of—

1                 “(A) sustaining essential environmental  
2                 services;

3                 “(B) maintaining the ecological integrity,  
4                 health, and biodiversity of Federal land as well  
5                 as lands managed under Federal programs;

6                 “(C) protecting critical national infrastruc-  
7                 ture, habitat, fish and wildlife resources; and

8                 “(D) supporting the major US economies  
9                 that depend on the Mississippi River.

10                 “(2) DISPOSITION.—

11                 “(A) FINDINGS.—The Administrator in  
12                 close coordination with the Secretary of Interior  
13                 may carry out any project identified pursuant  
14                 to this act in accordance with the priorities set-  
15                 forth in the findings identified by Congress as  
16                 the following:

17                 “(i) In 1986, Congress designated the  
18                 Mississippi River System as both a nation-  
19                 ally significant ecosystem and navigation  
20                 system—the only inland river system to re-  
21                 ceive such a designation.

22                 “(ii) The Mississippi River moves 47  
23                 percent of the nation’s inland waterway  
24                 commerce totaling approximately 500 mil-  
25                 lion tons of cargo each year making pos-

1                   sible America's only trade surplus in agri-  
2                   cultural commodities.

3                   “(iii) The Mississippi River's fresh-  
4                   water economy generates nearly \$500 bil-  
5                   lion in annual revenue directly employing  
6                   over 1.5 million people throughout the cor-  
7                   ridor providing drinking water supply to  
8                   more than 20 million people in 50 cities.

9                   “(iv) One in twelve people on Earth  
10                  ingest commodities grown within the Mis-  
11                  sissippi River Basin.

12                  “(v) The cities along the Mississippi  
13                  River have a combined gross municipal  
14                  product of nearly half a trillion U.S. dol-  
15                  lars generated from major economic sec-  
16                  tors including manufacturing, tourism, ag-  
17                  riculture, energy production, commercial  
18                  navigation, mineral extraction, commercial  
19                  harvest of natural resources, biotechnology,  
20                  and telecommunication services.

21                  “(vi) The Mississippi River has the  
22                  largest global trade footprint of any inland  
23                  waterway in the western hemisphere giving  
24                  it a significant stake in maintaining access

1 to global commodity markets for the  
2 United States.

3 “(vii) Waterways and ports in the  
4 Mississippi River ten-State corridor move  
5 \$164.6 billion in agricultural products to  
6 U.S. and foreign markets. 55 to 70 percent  
7 of all U.S. exported corn, soy, and wheat  
8 as well as 60 percent of America’s corn  
9 and soybean exports (40 percent of the na-  
10 tion’s total agricultural output) move on  
11 the Mississippi River.

12 “(viii) The Corridor has sustained  
13 over \$50 billion in natural disaster impacts  
14 within the Mississippi River Valley since  
15 2011 (\$200 billion since 2005). On aver-  
16 age over the last five years, disasters are  
17 costing the Mississippi River economy as a  
18 whole close to 3 percent annually.

19 “(ix) The Mississippi River Corridor  
20 has sustained over \$50 billion in natural  
21 disaster impacts within the Mississippi  
22 River Valley since 2011 (\$210 billion since  
23 2005). On average over the last five years,  
24 disasters are costing the Mississippi River

1 economy as a whole close to 3 percent an-  
2 nually.

3 “(x) Congress finds that recent disas-  
4 ters only exacerbate issues of equity, ac-  
5 cess, poverty, and disadvantage already  
6 uniquely acute through portions of the  
7 Mississippi River Corridor above and be-  
8 yond other regions of the United States.  
9 Rural cities are more likely to be disadvan-  
10 taged. Disadvantage is clustered and driv-  
11 en by historical context that requires overt  
12 and purposeful solutions. Disparities in the  
13 Mississippi River Corridor carry significant  
14 economic outcomes in terms of health, lon-  
15 gerevity, quality of life, and generational  
16 prosperity.

17 “(xi) Natural infrastructure can play  
18 a heightened role in cleaning and regu-  
19 lating water. Nature can move and manage  
20 more water more efficiently, to more ben-  
21 efit than built infrastructure; across the  
22 nation, inland wetlands provide an esti-  
23 mated \$237 billion in water flow regulation  
24 services annually.

1                 “(B) IN GENERAL.—The Administrator in  
2 close coordination with the Secretary of Interior  
3 may carry out any project identified pursuant  
4 to paragraph (1) through subsection (e) in ac-  
5 cordance with the criteria for projects carried  
6 out under one of the following authorities:

7                 “(i) Section 206 of the Water Re-  
8 sources Development Act of 1996 (33  
9 U.S.C. 2330).

10                 “(ii) 33 U.S.C. 2201 et seq. Water  
11 Resources Development Act of 1990.

12                 “(iii) Section 1135 of the Water Re-  
13 sources Development Act of 1986 (33  
14 U.S.C. 2309a).

15                 “(iv) Section 107 of the River and  
16 Harbor Act of 1960 (33 U.S.C. 577).

17                 “(v) Section 104(a) of the River and  
18 Harbor Act of 1958 (33 U.S.C. 610(a)).

19                 “(vi) Public Law 100–460; 42 U.S.C.  
20 3121 note.

21                 “(C) FEDERAL LEADERSHIP COM-  
22 MITTEE.—In order to begin a new era of shared  
23 Federal leadership with respect to the protec-  
24 tion and restoration of the Mississippi River, a  
25 Federal Leadership Committee (Committee) for

1           the Mississippi River shall be established under  
2           this section to oversee the development and co-  
3           ordination of programs and activities, including  
4           data management and reporting, of agencies  
5           participating in protection and restoration of  
6           the Mississippi River through the work of the  
7           National Mississippi River Program Office.

8                 “(i) The Committee shall advise the  
9                 development of strategies and program  
10                plans for the watershed and ecosystem of  
11                the Mississippi River and their implemen-  
12                tation at a broad level as investigated, con-  
13                structed, and implemented in detail by the  
14                National Mississippi River Program Office.

15                “(ii) The Committee shall be co-  
16                chaired by the Administrator of the EPA  
17                and the Secretary of the Interior or the  
18                Director of the U.S. Geological Survey  
19                (USGS), and vice chaired by the President  
20                of the Mississippi River Commission  
21                (MRC), or the President’s designee, and  
22                include senior representatives of the De-  
23                partment of Transportation, the Depart-  
24                ment of Agriculture, the U.S. Army Corps  
25                of Engineers, and such other agencies as

1                   determined by the Committee including the  
2                   Chief of the Natural Resources Conserva-  
3                   tion Service and the Federal Emergency  
4                   Management Agency. The Committee shall  
5                   also include one member of the U.S. House  
6                   of Representatives and the U.S. Senate  
7                   who are Co-Chairs of the Mississippi River  
8                   Caucus in their respective chambers, one  
9                   additional member of the Congressional  
10                  Black Caucus from a Mississippi River  
11                  State (if CBC member is not available for  
12                  a Mississippi River State, than a CBC  
13                  member shall be chosen from a State with-  
14                  in the Mississippi River Basin), one gov-  
15                  ernor from a Mississippi River State and  
16                  one of the Mayoral Co-Chairs of the Mis-  
17                  sissippi River Cities & Towns Initiative  
18                  (MRCTI). Representatives serving on the  
19                  Committee shall be officers of the United  
20                  States with the exception of one governor  
21                  and one mayor as afore mentioned.

22                  “(iii) Within 9 months of enactment  
23                  of this Act, the Committee shall prepare  
24                  and publish a broad strategy for coordi-  
25                  nated implementation of existing programs

1           and projects to guide efforts to protect and  
2           restore the Mississippi River Main Stem  
3           Corridor for the purposes of—

4                         “(I) reducing exposure to and  
5                        impacts from disasters to critical na-  
6                        tional infrastructure and vulnerable  
7                        and economically disadvantaged popu-  
8                        lations;

9                         “(II) protecting sensitive and  
10                      complex ecosystems, wildlife, habitat,  
11                      and natural resources; and

12                         “(III) sustaining and augmenting  
13                      environmental services vital to the  
14                      global commodity supply chain includ-  
15                      ing reliable and stable flow levels, soil  
16                      health, reduced erosion, sedimenta-  
17                      tion, and nutrient loading.

18                         “(iv) The Committee’s broad strategy  
19                      shall inform and create the basis for devel-  
20                      opment of a Comprehensive Mississippi  
21                      River Restoration Plan that will be assem-  
22                      bled by the National Mississippi River Pro-  
23                      gram Office.

24                 “(b) ESTABLISHING A NATIONAL MISSISSIPPI RIVER  
25                 PROGRAM OFFICE.—

1           “(1) AUTHORITY.—The Administrator in close  
2 coordination with the Secretary of Interior shall  
3 plan, develop, and implement a central coordinating  
4 and organizing apparatus for the purposes of car-  
5 carrying out this Section. The Administrator in agree-  
6 ment and allowance with the Secretary of Interior  
7 shall carryout this section through close consultation  
8 with the Federal Leadership Committee of the Mis-  
9 sissippi River as established in subsection (a)(2)(C).

10          “(2) PURPOSE.—The National Mississippi  
11 River Program Office shall be established to con-  
12 struct a Comprehensive Mississippi River Restora-  
13 tion Plan outlined by the Federal Leadership Com-  
14 mittee through the Committee’s broad strategy re-  
15 port as carried out by subsection (a)(2)(C); organize  
16 and manage the restoration, deployment, and  
17 sustainment of natural infrastructure at a massive  
18 scale throughout the Mississippi River Corridor in  
19 order to—

20           “(A) protect critical national infrastruc-  
21 ture;

22           “(B) safeguard near-water communities;

23           “(C) reestablish the biodiversity of the  
24 North American mid-continent region;

1                 “(D) increase the resilience and overall in-  
2                 tegrity of the environmental and hydrological  
3                 services within the Mississippi River Corridor  
4                 that make possible major economic activities  
5                 such as manufacturing, tourism, outdoor recre-  
6                 ation, agriculture, navigation, and disaster se-  
7                 curity; and

8                 “(E) make more sustainable the critical  
9                 economies that depend on the environmental  
10                 services of the Mississippi River including but  
11                 not limited to—

12                 “(i) manufacturing—including drink-  
13                 ing water production;  
14                 “(ii) tourism;  
15                 “(iii) outdoor recreation;  
16                 “(iv) agriculture;  
17                 “(v) navigation—integrity of the glob-  
18                 al commodity supply chain.

19                 “(3) ORGANIZATION.—The National Mississippi  
20                 River Program Office shall be managed by the Envi-  
21                 ronmental Protection Agency through active and on-  
22                 going advice and concurrence from the U.S. Depart-  
23                 ment of Interior and be funded through the appro-  
24                 priations authorized under this Act obligated  
25                 through a joint agreement between the U.S. EPA

1 and the U.S. Department of Interior annual budgets  
2 respectively where applicable funds shall be allocated  
3 to Interior to carry-out scientific support of the Pro-  
4 gram Office and for other cooperative activities with  
5 the EPA in managing mandates included in this  
6 Act.

7                 “(A) The National Mississippi River Pro-  
8 gram Office (Program Office) shall be orga-  
9 nized into three broad divisions with appro-  
10 priate expertise and staff assigned to each divi-  
11 sion including but not necessarily limited to—

12                 “(i) Infrastructure Repair, Resilience  
13 and Adaptation (IRRA);  
14                 “(ii) Ecological Restoration and Envi-  
15 ronmental Service Integrity (ERESI); and  
16                 “(iii) Data Analysis and Subject Mat-  
17 ter Investigations Directorate (DASMID).

18                 “(B) The Program Office shall be led by a  
19 Chief Executive Officer with appropriate deputy  
20 officers as needed; and each Program Office di-  
21 vision shall have a director appointed in close  
22 consultation with the Environmental Protection  
23 Agency, U.S. Department of Transportation,  
24 and the U.S. Army Corps of Engineers.

1                 “(4) PRIORITIZATION.—The Administrator in  
2 close coordination with the Secretary of Interior  
3 shall prioritize the activities of the Program Office  
4 in participating States for projects that—

5                 “(A) deploy, restore, expand, and/or aug-  
6                 ment natural infrastructure assets such as wet-  
7                 lands, marshes, forests, streams, natural  
8                 catchment basins, freshwater estuaries, and ri-  
9                 parian areas;

10                 “(B) restore and/or increase the biodiver-  
11                 sity and habitat of wildlife throughout the Mis-  
12                 sissippi River Corridor;

13                 “(C) increase the disaster resilience of en-  
14                 vironmental services, critical national infra-  
15                 structure, near-water communities, and the  
16                 major economies dependent on the Mississippi  
17                 River Corridor;

18                 “(D) seek to monitor, study, understand,  
19                 and expand knowledge of how the environ-  
20                 mental assets of the Mississippi River Corridor  
21                 function, support economic development, protect  
22                 population centers, and sustain impacts from  
23                 climate changes, nutrient loading, human-  
24                 caused toxification, major storm events both in  
25                 tear-term and long-term scales;

1               “(E) improve the water quality of the main  
2               stem Mississippi River including a decrease in  
3               errand nutrient load; and

4               “(F) ensure communities disproportionately  
5               vulnerable to disaster impacts, abject pov-  
6               erty, and historic lack of access including Na-  
7               tive American Tribes and much of the Mis-  
8               sissippi River Delta are given priority consider-  
9               ation and benefit of the services, resources, and  
10               capacity provided through this Act; and such  
11               consideration be made systemic throughout all  
12               operations and divisions of the National Mis-  
13               sissippi River Program Office.

14               “(5) PROCEDURE.—In carrying out subsection  
15               (b), the Administrator in close coordination with the  
16               Secretary of Interior shall engage in the following  
17               procedure to locate and develop the Program Office.

18               “(A) One hundred and twenty days after  
19               enactment of this Act, the Administrator shall  
20               establish a narrowly tailored temporary version  
21               of the Program Office in order to immediately  
22               assist and coordinate the early activities of the  
23               Administrator and the Federal Leadership  
24               Committee prescribed by subsection (d) until a

1 more permanent version may be developed in  
2 the Mississippi River region.

3 “(B) The temporary Program Office shall  
4 continue to operate, develop, and expand as  
5 needed in the location specified by the Adminis-  
6 trator while a more permanent regional location  
7 is established.

8 “(C) Six months after enactment of this  
9 Act, the Administrator shall invite proposals  
10 from the ten States bordering the Main Stem  
11 Mississippi River describing how each State  
12 would be best suited to host the Program Of-  
13 fice.

14 “(D) The Administrator shall request de-  
15 tails from each eligible State on what resources  
16 that State can provide to the development of  
17 the Program Office and how that State hosting  
18 the Program Office is in the best interest of  
19 carrying out the intent of this Act. Eligible  
20 States shall also include the following details:

21 “(i) State match of funding available  
22 to develop the Program Office up to the  
23 first five years of its operation.

24 “(ii) How the Mississippi River fits  
25 into that State’s plan(s) for the following:

1                         “(I) Sustainable economic devel-  
2                         opment.

3                         “(II) Disaster resilience and miti-  
4                         gation.

5                         “(III) Water quality monitoring  
6                         strategy.

7                         “(IV) Drought resilience.

8                         “(V) Climate change reduction  
9                         and adaptation.

10                         “(VI) Natural resource protec-  
11                         tion and conservation.

12                         “(VII) Habitat restoration and  
13                         preservation.

14                         “(VIII) Nutrient reduction strat-  
15                         egy.

16                         “(IX) Infrastructure renewal and  
17                         replacement.

18                         “(X) Land use and development  
19                         in and around flood plain and back-  
20                         water areas.

21                         “(iii) Partnerships with the non-profit  
22                         and private sectors that can assist the  
23                         State, EPA, and Department of Interior in  
24                         developing the Program Office and car-  
25                         rying out its mandate under this Act.

1                 “(E) MULTI-STATE PROPOSALS.—Because  
2                 the Mississippi River is a border for eight out  
3                 of the ten eligible States, eligible States may  
4                 partner in answering the Administrator’s re-  
5                 quest under the following provisions:

6                     “(i) There shall be no limit to the  
7                 number of States partnering in reply to  
8                 this subsection.

9                     “(ii) The physical location of the Pro-  
10                 gram Office may reside in two or more  
11                 States but sites must be positioned no  
12                 more than two (2.0) lateral miles apart un-  
13                 less a majority of the space between sites  
14                 is river and/or unoccupied floodplain, than  
15                 the maximum distance shall be no more  
16                 than five-and-a-half (5.5) lateral miles be-  
17                 tween any two sites of the office.

18                     “(iii) State jurisdiction and matching  
19                 funds must be coordinated and an ultimate  
20                 State authority over the office coordinating  
21                 resources and communication must be es-  
22                 tablished in the proposal. A special services  
23                 vehicle or other multi-State body may be  
24                 assembled to provide this authority for the  
25                 Administrator.

1                 “(F) PRIORITY.—The Administrator shall  
2 submit all State proposals to the Federal Lead-  
3 ership Committee to evaluate State proposals to  
4 host the Program Office using the following pri-  
5 orities in decreasing order of importance:

6                 “(i) Mississippi River inclusion and  
7 jurisdiction in the State plans delineated in  
8 subsection (b)(5)(B)(ii).

9                 “(ii) The inclusion of additional sus-  
10 tainability capacities including but not lim-  
11 ited to affirmative answers to the following  
12 inquiries:

13                 “(I) Is the proposed site(s) lo-  
14 cated within or directly accessible to a  
15 Mississippi River City’s downtown  
16 area, or contained within city limits in  
17 whole or in part?

18                 “(II) Is the proposed facility or  
19 facilities for the Program Office a  
20 ‘green building’ that is LEED cer-  
21 tified at ‘gold’ level or above?

22                 “(III) Does the State proposal  
23 and site situation take into account  
24 adjacent or nearby Federal property?

1                         “(IV) Is the proposed location  
2                         adjacent to or near areas that can be  
3                         used as demonstration sites for var-  
4                         ious Mississippi River Program activi-  
5                         ties involving resilience, adaptation,  
6                         conservation, restoration, and/or nat-  
7                         ural infrastructure applications?

8                         “(V) Does the State proposal  
9                         stress priorities around low impact de-  
10                         velopment strategies such as restora-  
11                         tion of gray or brownfield sites, em-  
12                         phasis of alternative forms of trans-  
13                         portation, proposed site is outside  
14                         floodplain?

15                         “(iii) A plan to work with Federal  
16                         partners ensuring objectives of diversity,  
17                         equity, and inclusion are achieved; specifi-  
18                         cally, plans to employ local and regional  
19                         residents from historically disadvantaged  
20                         groups, plans to support local businesses  
21                         near the program office site, plans to cre-  
22                         ate permeable spaces between the Federal  
23                         facility and the community it occupies, and  
24                         plans to provide ongoing and cumulative  
25                         learning opportunities so residents of re-

1           gional disadvantaged communities may  
2           contribute meaningfully to the program of-  
3           fice.

4           “(iv) Multi-State proposal.

5           “(v) Partnerships especially with envi-  
6           ronmental justice organizations, histori-  
7           cally Black colleges and universities, as  
8           well as minority opportunity and prosperity  
9           organizations.

10          “(G) States shall be given 6 months from  
11          publication of the request for proposals to sub-  
12          mit a reply to the Administrator. In the event  
13          that no eligible State submits a reply timely  
14          under this section, then the Administrator shall  
15          select a State and site unilaterally using appli-  
16          cable portions of the above procedure.

17          “(H) The Program Office established 120  
18          days after enactment of this Act shall continue  
19          to operate and develop where designated by the  
20          Administrator until such time a new office may  
21          be established within the Mississippi River Cor-  
22          ridor.

23          “(6) OVERSIGHT.—In conducting oversight with  
24          respect to managing the Program Office established  
25          under this section, the Administrator—

1                           “(A) shall—

2                         “(i) periodically audit the funds and  
3                         activities in accordance with procedures es-  
4                         tablished by the Comptroller General of  
5                         the United States; and

6                         “(ii) not less frequently than once  
7                         every two (2) years, review the projects  
8                         and activities of the Program Office to de-  
9                         termine its effectiveness in carrying out  
10                         this Act; and

11                           “(B) may, at any time—

12                             “(i) make recommendations to the  
13                             Program Office division directors and host  
14                             State with respect to the administration of  
15                             the Program Office; or

16                             “(ii) require specific changes with re-  
17                             spect to the Program Office in order to im-  
18                             prove the effectiveness of activities estab-  
19                             lished under this Act.

20           “(7) Any specific changes the Administrator  
21        deems a requirement must be coordinated and ad-  
22        vised by the Department of Interior, U.S. Depart-  
23        ment of Transportation, and the U.S. Army Corps  
24        of Engineers where the subject matter duly falls  
25        under that agencies authority and/or expertise.

1       “(c) IN GENERAL.—There shall be established a suite  
2 of grants and ongoing projects through this section to sus-  
3 tain the Mississippi River Corridor and carryout the intent  
4 created under this Act.

5       “(d) COMPREHENSIVE MISSISSIPPI RIVER RESTORA-  
6 TION PLAN.—Not later than two and a half (2.5) years  
7 after enactment of this Act, the Program Office in coordi-  
8 nation with the Federal Leadership Committee shall de-  
9 velop a comprehensive Mississippi River restoration plan  
10 (Plan) to guide implementation of several projects under  
11 this subsection and subsection (c).

12       “(1) COORDINATION.—The restoration plan de-  
13 scribed in paragraph (d) shall, to the maximum ex-  
14 tent practicable, consider and avoid duplication of  
15 any ongoing or planned actions of other Federal,  
16 State, and local agencies and nongovernmental orga-  
17 nizations but instead seek to support, compliment,  
18 improve, and where appropriate absorb other efforts  
19 with specific reference to the Navigation and Eco-  
20 system Sustainability Program (NES), the Upper  
21 Mississippi River Restoration Program (UMRR), the  
22 Mississippi River and Tributaries Program (MR&T),  
23 the Wetland Reserve Program, the Resilience Re-  
24 volving Loan Fund or STORM Act, and the private  
25 carbon reforestation program(s).

## 1           “(2) STRATEGIC INTERSTATE COORDINATION.—

2     Recognizing the Mississippi River acts as a border  
3     along eight of the ten State-corridor, to the maximum  
4     extent possible, projects under this subsection  
5     shall be carried-out through interstate cooperation  
6     and coordination with States, localities, and organizations  
7     partnering on both sides of the Mississippi  
8     River in carrying-out all activities permitted through  
9     this subsection.

10       “(3) PRIORITIZATION.—The restoration plan  
11     described in subsection (d) shall give priority to  
12     projects eligible under subsections (c) and (d) that  
13     will also improve water quality or quantity or use  
14     natural hydrological features and systems as well as  
15     non-structural solutions toward the following benefits:

17           “(A) sediment, erosion, and errand nutrient control;

19           “(B) protection of eroding shorelines;

20           “(C) ecosystem restoration, including restoration of submerged aquatic vegetation for  
21           the primary purpose of disaster resilience and  
22           environmental service restoration and augmentation;

1                 “(D) protection of essential public works,  
2 critical national infrastructure, and the major  
3 economies that depend on the River;

4                 “(E) restore the biodiversity of the Mis-  
5 sissippi River Corridor;

6                 “(F) sustain wildlife, habitat, and natural  
7 resource integrity;

8                 “(G) set-back and reconfiguration of levees  
9 and floodwalls as well as pursuance of non-  
10 structural solutions;

11                 “(H) increase and improvement of water  
12 quality monitoring capacity;

13                 “(I) beneficial uses of dredged material;

14                 “(J) protection of near-water communities  
15 especially those in historically disadvantaged  
16 neighborhoods and regions such as the delta;  
17 and

18                 “(K) other related projects that may en-  
19 hance the living resources of the Mississippi  
20 River Corridor.

21                 “(4) PROCEDURE.—Once completed the Pro-  
22 gram Office shall submit the Plan to the Federal  
23 Leadership Committee, EPA Administrator, and the  
24 Secretary of the Department of Interior to be re-  
25 leased for public comment. The public comment pe-

1       riod shall last no more than ninety (90) days in line  
2       with standard Department of Interior policies and  
3       procedures. Once the public comment period has  
4       elapsed, the Plan will enter final review and ap-  
5       proval. No later than thirty days (30) after the pub-  
6       lic comment period has completed the Plan shall be  
7       placed into its final form and published. Once the  
8       Plan is approved, it shall be given to the Program  
9       Office to carry-out in accordance with the aims and  
10      priorities of this Act under the recommended  
11      timeline set-forth in the Plan itself for both imple-  
12      mentation and scheduled updates with advice and  
13      coordination from the Federal Leadership Com-  
14      mittee.

15       “(e) PROJECTS.—The Program Office shall establish,  
16      to the maximum extent possible, projects under this sec-  
17      tion throughout the Mississippi River Corridor that imple-  
18      ment the Comprehensive Mississippi River Restoration  
19      Plan as well as projects that proceed apart and outside  
20      the Plan but meet the priorities and aims laid-out in sub-  
21      sections (a)(1) and (b)(4) of this section.

22       “(1) PROJECTS ON FEDERAL LAND.—A project  
23      carried out pursuant to the Plan described in sub-  
24      section (d) that is located on Federal land shall be  
25      carried out at the expense of the Federal agency

1       that owns the land on which the project will be a  
2       carried out.

3           “(2) NON-FEDERAL CONTRIBUTIONS.—A Fed-  
4       eral agency carrying out a project described in sub-  
5       section (c) may accept contributions of funds from  
6       non-Federal entities to carry out that project.

7           “(3) PROJECTS WITHIN THE COMPREHENSIVE  
8       MISSISSIPPI RIVER CORRIDOR RESTORATION PLAN.—  
9       The Program Office shall identify and carry-out  
10      projects that implement and satisfy the aims of the  
11      Plan in such a manner that involves States, local  
12      governments, institutions of higher learning, non-  
13      profit organizations, and private sector stakeholders  
14      through the holding of annual or biannual (two in-  
15      stances a year) regional conferences. These con-  
16      ferences may be held in conjunction with other ger-  
17      mane gatherings within the region such as those  
18      conducted by the U.S. Army Corps of Engineers, the  
19      UMRBA, or the MRCTI.

20           “(A) During these conferences, the Pro-  
21       gram Office shall share planned project designs  
22       and priority geographic sites of repetitive loss  
23       where a severe compelling human need exists.  
24       The Program Office shall elicit from partici-  
25       pants official testimony on how to structure,

1 prioritize, and implement projects in an effi-  
2 cient and timely manner.

3 “(B) The Program Office shall begin at  
4 least one new project a year for the first five  
5 years from the publishing of the Comprehensive  
6 Mississippi River Restoration Plan that works  
7 to implement the Plan as approved by the Com-  
8 mittee.

9 “(4) PROJECTS OUTSIDE THE COMPREHENSIVE  
10 MISSISSIPPI RIVER CORRIDOR RESTORATION PLAN.—

11 “(A) Congress recognizes there will be an  
12 on-going need for projects that cannot be  
13 planned for, may arise out of emergency cir-  
14 cumstances or developments, and/or may meet  
15 compelling needs congruent to this Act, but are  
16 best carried-out under the auspices of other or-  
17 gans of government or the private sector in part  
18 or entirely.

19 “(B) GRANTS.—In providing grants under  
20 this subsection, the Program Office shall con-  
21 duct a transparent and competitive regional so-  
22 licitation process to select eligible projects to re-  
23 ceive grants under this subsection. This Act  
24 shall provide for extra-provisional projects  
25 through the following schedule of grants to

1 States, local governments and non-profit orga-  
2 nizations whom have a State or local govern-  
3 ment partner—

4 “(i) INFRASTRUCTURE REPAIR, RESIL-  
5 IENCE AND ADAPTATION GRANT.—Commu-  
6 nities who have vital built and/or natural  
7 infrastructure assets that require repair,  
8 restoration, and/or replacement due to re-  
9 petitive loss events may apply to the Pro-  
10 gram Office for this grant.

11 “(I) PURPOSE.—The purpose of  
12 the grant is to provide funds for resil-  
13 ience improvements through—

14 “(aa) competitive planning  
15 grants to enable communities to  
16 assess vulnerabilities to current  
17 and future weather events and  
18 natural disasters and changing  
19 conditions, including drought,  
20 and plan infrastructure improve-  
21 ments and emergency response  
22 strategies to address those  
23 vulnerabilities so that infrastruc-  
24 ture can be built back more resil-  
25 ient and sustainable;

1                     “(bb) competitive resilience  
2 improvement grants to protect  
3 infrastructure assets by making  
4 the assets more resilient to cur-  
5 rent and future weather events  
6 and natural disasters, such as se-  
7 vere storms, flooding, drought,  
8 levee and dam failures, wildfire,  
9 extreme weather, including ex-  
10 treme temperature, and earth-  
11 quakes;

12                     “(cc) natural infrastructure  
13 including regenerative agricul-  
14 tural lands designed to provide  
15 co-benefits such as natural flood  
16 storage that protect and enhance  
17 built assets while improving eco-  
18 system conditions, including cul-  
19 verts that ensure adequate flows  
20 in rivers and estuarine systems;

21                     “(dd) using build-back-bet-  
22 ter practices, this grant may used  
23 toward the acquisition of better  
24 or best technology as well as the  
25 installation and deployment of

1 new infrastructure assets to im-  
2 prove older ones or their entire  
3 systems. This subsection also al-  
4 lows for the acquisition of prop-  
5 erty to expand natural infrastruc-  
6 ture assets allowing them to per-  
7 form at higher capacity providing  
8 protection for more severe events  
9 over a larger service area. Expan-  
10 sion of natural infrastructure for  
11 the purposes of this subsection  
12 may include the removal outdated  
13 built infrastructure such as dams  
14 that pose risk; and

15 “(ee) this grant is also de-  
16 signed to address both minority  
17 and disadvantaged community in-  
18 clusion, access, and equity. Appli-  
19 cants under this subsection  
20 should provide structural guaran-  
21 tees that minority communities  
22 will be made part of the decision  
23 process through which grant  
24 funds are obligated and expended  
25 toward infrastructure.

1                         “(II) ELIGIBILITY.—Project area  
2                         must reside within a State or federally  
3                         designated disaster area within the  
4                         last 5 years of the time of application;  
5                         Infrastructure asset or assets must  
6                         have sustained a minimum of 30 per-  
7                         cent loss from at least one of the dis-  
8                         aster events stipulated in this sub-  
9                         section; in the event that an infra-  
10                         structure system is the subject of the  
11                         application than this subsection ap-  
12                         plies to the entire system in question.

13                         “(III) DISTRIBUTION.—Grant  
14                         awards under subsection (e)(4)(B)(i)  
15                         are direct allocations to States or local  
16                         governments. Non-profit organizations  
17                         may apply for grants under this sub-  
18                         section if their application includes a  
19                         State or local government partner. All  
20                         funds will be distributed directly to  
21                         State or local governments who may  
22                         then suballocate to non-profit part-  
23                         ners. Sixty percent of all grants under  
24                         this subsection must be allocated di-  
25                         rectly to local governments.

1                         “(IV) COST SHARE.—The Fed-  
2                         eral share of the cost of a project car-  
3                         ried out using funds made available  
4                         under paragraph (i) shall not exceed  
5                         80 percent of the total project cost. A  
6                         locality may use Federal funds other  
7                         than Federal funds made available  
8                         under this subsection to meet the non-  
9                         Federal cost share requirement for a  
10                         project under this subsection.

11                         “(ii) SUSTAINABLE ECONOMIC DEVEL-  
12                         OPMENT GRANT.—Communities and re-  
13                         gions that have sustained significant repet-  
14                         itive loss over the past ten years from the  
15                         date of application for this grant may seek  
16                         relief through the Program Office pursuant  
17                         to this subsection.

18                         “(I) PURPOSE.—The purpose of  
19                         the grant is to provide funds for eco-  
20                         nomic revitalization through—

21                         “(aa) competitive economic  
22                         planning grants to enable com-  
23                         munities and regions to shift  
24                         and/or expand their economies  
25                         from environmentally costly in-

dustrial to clean manufacturing, service, global commodity supply chain movement and/or tourism as well as other low-impact economic development; and

“(bb) competitive economic improvement grants that include strategies to make a region’s economies more resilient and adaptive to increased and more persistent disaster events as well as shocks due to degradation of essential environmental services;

“(cc) the off-loading of major infrastructure assets from local governments to special service vehicles or private sector entities in such a way that ensures continued environmental health, natural resource protection, and ecological health of the region;

“(II) ELIGIBILITY.—Applying locality must have sustained an economic loss of at least 30 percent over

1                   the last ten years at the time of appli-  
2                   cation to this grant.

3                   “(III)      DISTRIBUTION.—Grant  
4                   awards under subsection (e)(4)(B)(i)  
5                   are direct allocations to States or local  
6                   governments. Non-profit organizations  
7                   may apply for grants under this sub-  
8                   section if their application includes a  
9                   State or local government partner. All  
10                  funds will be distributed directly to  
11                  State or local governments who may  
12                  then suballocate to non-profit part-  
13                  ners. All grants under this subsection  
14                  must be allocated directly to local gov-  
15                  ernments.

16                  “(IV)     COST SHARE.—The Fed-  
17                  eral share of the cost of a project car-  
18                  ried out using funds made available  
19                  under paragraph (ii) shall not exceed  
20                  50 percent of the total project cost. A  
21                  locality may use Federal funds other  
22                  than Federal funds made available  
23                  under this subsection to meet the non-  
24                  Federal cost share requirement for a  
25                  project under this subsection.

1                         “(V) STRUCTURE.—A community  
2 seeking relief under this subsection  
3 must demonstrate a restructuring of  
4 their economy through a pivot from a  
5 ‘funding’ model to a ‘financing’ model  
6 by providing the following structure to  
7 their application.

8                         “(aa) Communities shall  
9 provide a strategic financing plan  
10 for their economy assessing their  
11 development needs demonstrating  
12 allocation of capital prioritized to  
13 fit those needs.

14                         “(bb) Localities must strate-  
15 gically mobilize private capital by  
16 aligning the allocation processes  
17 to their development goals and  
18 gaps of their current economy in  
19 many sectors including, but not  
20 limited to infrastructure, health,  
21 education, and energy; this re-  
22 quires a critical collaboration ef-  
23 fort.

24                         “(cc) Local governments  
25 must demonstrate a priority for

1 minority inclusion, access, and  
2 equity in applying for funds  
3 made available under subsection  
4 (e)(4)(B)(ii) and provide struc-  
5 tural guarantees that minority  
6 communities will be made part of  
7 the decision process through  
8 grant funds are obligated and ex-  
9 pended.

1                     gency due to an emergency event such  
2                     as a disaster, crisis, or unique oppor-  
3                     tunity/discovery through—

4                         “(aa) competitive planning  
5                     grants to enable States to achieve  
6                     their enacted goals and timelines  
7                     for reductions in phosphorus and  
8                     nitrogen at a more impactful  
9                     level and at a faster pace;

10                         “(bb) competitive water  
11                     quality improvement grants to  
12                     protect the States’ fresh water  
13                     resources that flow into the Mis-  
14                     sissippi River;

15                         “(cc) innovative approach  
16                     grants that implement new ways  
17                     of achieving nutrient reduction  
18                     goals such as, but not limited to  
19                     nutrient trading regimes, estab-  
20                     lishment of investment funds to  
21                     assist in the capitalization of best  
22                     technology acquisition for water  
23                     treatment facilities, deployment  
24                     of on-field regenerative agri-  
25                     culture practices, and/or the cap-

italization of a new market credit  
to incentivize the production and  
sales of cover crops; and

12                             “(II) ELIGIBILITY.—Only partici-  
13                             pating States may apply for this as-  
14                             sistance and must do so in direct co-  
15                             ordination with local governments that  
16                             are included in the proposed service  
17                             area of the grant.

18                             “(III)        DISTRIBUTION.—Grant  
19                             awards under subsection (e)(4)(B)(iii)  
20                             are direct allocations to States with a  
21                             minimum set-aside allocation for local  
22                             governments included in the service  
23                             area of the grant of not less than 20  
24                             percent.

1                         “(IV) COST SHARE.—The Federal  
2                         share of the cost of a project carried  
3                         out using funds made available  
4                         under paragraph (i) shall not exceed  
5                         80 percent of the total project cost. A  
6                         State may use Federal funds other  
7                         than Federal funds made available  
8                         under this subsection to meet the non-Federal  
9                         cost share requirement for a  
10                         project under this subsection.

11                         “(5) ALLOCATION, ADMINISTRATION OF  
12                         FUNDS.—Funds distributed under subsection (e)  
13                         must be used by States, local governments, and their  
14                         partners for the purposes designated in subsection  
15                         (d)(4)(B) with the stipulations and limitations contained  
16                         in subsection (g) and subsection (h).

17                         “(A) ALLOWANCES FOR SMALL COMMUNITIES.—Those communities directly adjacent  
18                         to the Mississippi River Main Stem with populations below 10,000 shall be given administrative allowances in submitting their application(s) for assistance under this Act such that the Program Office shall offer technical assistance and guidance to communities implicated in this subsection in submitting a credible applica-

1           tion. Minority and historically disadvantaged  
2           communities shall be given additional priority  
3           through this subsection especially those facing  
4           disproportionate impacts from environmental  
5           injustices committed by industrial processes.

6           “(B) SMALL COMMUNITY SET-ASIDE.—The  
7           Program Office shall set aside 5 percent of all  
8           available grant funds under subsection (e) for  
9           the sole purpose of awarding grants to small  
10          community applicants that fit the description  
11          stipulated in subsection (e)(5)(A).

12          “(f) IN GENERAL.—In order to support the Com-  
13          prehensive Mississippi River Restoration Plan and for  
14          other purposes, there shall be established a series of ongo-  
15          ing studies and investigations through this section to sus-  
16          tain the Mississippi River Corridor and carryout the intent  
17          created under this Act.

18          “(1) MISSISSIPPI RIVER CORRIDOR ECONOMIC  
19          PROFILE.—Once every 5 years after enactment of  
20          this Act, the Program Office shall complete an up-  
21          dated economic profile (profile) of the Mississippi  
22          River Corridor.

23          “(A) PURPOSE.—This study is to develop  
24          a profile of the regional economic activity de-

1 pendent upon the Mississippi Corridor from the  
2 headwaters region to the Gulf of Mexico.

3 “(B) FORM.—This report shall be an anal-  
4 ysis of present economic activity including a  
5 treatment of recent economic trends. The ulti-  
6 mate objective of this report is to enhance un-  
7 derstanding among government agencies, legis-  
8 lative bodies, private organizations, and indi-  
9 vidual citizens of the relative significance of key  
10 economic sectors in the Mississippi River Cor-  
11 ridor, providing an information source for fu-  
12 ture river management decisions and an eco-  
13 nomic guiding document for the Comprehensive  
14 Mississippi River Restoration Plan.

15 “(i) The profile described in this sub-  
16 section shall use the Lower Mississippi  
17 River Economic Profile developed by the  
18 Lower Mississippi River Conservation  
19 Committee (LMRCC) as a template includ-  
20 ing the economic sectors and degree of  
21 analysis mustered for the LMRCC docu-  
22 ment.

23 “(ii) The Program Office shall have  
24 the latitude to alter the LMRCC template  
25 as it sees fit in updating the profile includ-

4                         “(iii) The Program Office shall in-  
5                         clude a new category to track the economic  
6                         impacts of the Comprehensive Mississippi  
7                         River Restoration Plan and the subsequent  
8                         project grants implemented through sub-  
9                         section (e) as they are implemented  
10                         throughout the corridor. The Program Of-  
11                         fice shall decide the most appropriate time  
12                         to institute this category.

“(C) PROCEDURE.—The Data Analysis and Subject Matter Investigations Directorate

1                   (DASMD) within the Program Office shall  
2                   lead and manage the development, review, and  
3                   release of the Profile. The DASMD shall deter-  
4                   mine the appropriate timeline to carry-out this  
5                   procedure and shall—

6                         “(i) present the profile in draft form  
7                         to the Federal Leadership Committee for  
8                         advice and review leading up to the five-  
9                         year increment of updated publication of  
10                         the Profile;

11                         “(ii) create a reasonable opportunity  
12                         for States, local governments, organiza-  
13                         tions, and institutions of higher learning to  
14                         officially submit review and comment on  
15                         drafts or final publication of the Profile;

16                         “(iii) determine the most effective  
17                         manner in which to organize the Profile  
18                         within the priority of providing break-out  
19                         economic analysis for each State so the  
20                         profile can be of maximum utility to Con-  
21                         gress in setting policy for the nation’s re-  
22                         sources and waterways.

23                         “(2) WATERSHED MONITORING NETWORK.—  
24                         Using the USGS-developed MRCTI Mississippi  
25                         River disaster information portal as an example and

1 working directly with the U.S. Geological Survey  
2 Water Resources Program and the Natural Re-  
3 sources Conservation Service, the Program Office  
4 shall establish a water quality and flow monitoring  
5 network for the Mississippi River Corridor for the  
6 purposes of quantifying and evaluating the sources,  
7 transport, and trends of sediment, nutrients, as well  
8 as to determine the effectiveness of nutrient reduc-  
9 tion practices corridor-wide, and for other water  
10 quality parameters such as river color(s) obtained  
11 from NASA images. In developing the monitoring  
12 network described in this subsection shall—

13                 “(A) be advised and consulted by inter-  
14 state water quality monitoring strategies for  
15 nutrient, sediment, and other water quality pa-  
16 rameters where they exist as well as Mississippi  
17 River States’ monitoring of the implementation  
18 and performance of best management practices  
19 for reducing nutrient and sediment loading  
20 from nonpoint sources where such best prac-  
21 tices can be determined from the 31 States of  
22 the Mississippi River Basin; and

23                 “(B) expand from the Mississippi River  
24 Corridor to the entire Mississippi River Basin  
25 over time as resources and capacity allows in

1           order to capture the major tributaries and their  
2           contribution of impacts to the Mississippi River  
3           Main Stem.

4           “(3) DISASTER RESILIENCE AND ENVIRON-  
5           MENTAL SERVICES VALUATION.—Working in close  
6           coordination and collaboration with the U.S. Army  
7           Corps of Engineers Mississippi Valley Division (Divi-  
8           sion), the Program Office shall provide data, re-  
9           search and investigation that offers valuation and  
10          economic impact of all the Division’s ecosystem res-  
11          toration work in terms of disaster resilience and en-  
12          hanced environmental services and such activity de-  
13          scribed in this subsection shall be made part of the  
14          Corps’ official project cost-benefit-analysis for all  
15          ecosystem restoration projects. Particular attention  
16          of the valuation shall be allocated to track and  
17          measure impacts and solutions for minority and his-  
18          torically disadvantaged communities throughout the  
19          study in such a manner as to determine how these  
20          vulnerable communities may garner more urgent and  
21          systemic benefits from ecosystem restoration and en-  
22          hanced environmental services deployment.

23           “(4) TRUST FUND FEASIBILITY STUDY.—In  
24          close cooperation with the White House Office of  
25          Management and Budget, the Program Office shall

1 conduct a study to determine the feasibility of estab-  
2 lishing a multi-user-fee-supported trust fund for the  
3 Mississippi River's ecological sustainability and built  
4 infrastructure integrity and repair. The study shall  
5 be reported to Congress three years after enactment  
6 of this Act. It is envisioned this Trust Fund would  
7 ensure the continued funding of Mississippi River  
8 Corridor environmental services that support the  
9 global commodity supply chain, navigation, manufac-  
10 turing, drinking water supply, disaster resilience,  
11 and outdoor tourism and recreation.

12       “(A) PURPOSE.—The Feasibility Study  
13       shall determine if a multi-user-fee-structure  
14       could be established for an impactful majority  
15       of private and public sector entities using the  
16       Mississippi River including but not limited to:

17           “(i) Agricultural commodity pro-  
18           duceurs, distributors, and manufacturers.

19           “(ii) Navigation industry members.

20           “(iii) Outdoor recreation and tourism  
21           industry members.

22           “(iv) Food and beverage manufactur-  
23           ers.

24           “(v) Private entities using one hun-  
25           dred thousand or more gallons per day of

1                   Mississippi River surface water including  
2                   public and quasi-government utilities.

3                   “(vi) State governments that border  
4                   the main stem Mississippi River from  
5                   headwaters to the Gulf of Mexico.

6                   “(B) FORM.—The study mandated in this  
7                   subsection shall be structured to pursue the  
8                   pervasive use of the Mississippi River and how  
9                   the myriad of end-user interests may be accu-  
10                  mulated and organized into a system through  
11                  which the Mississippi River as one of the Na-  
12                  tion’s most treasured and relied upon resources  
13                  as well as all the activities of the Program Of-  
14                  fice are sustained into the future with less and  
15                  less dependency on annual Federal appropria-  
16                  tions.

17                  “(C) PROCEDURE.—The Program Office,  
18                  upon completion of the study, shall co-present  
19                  with the White House Office of Management  
20                  and Budget, findings to the Federal Leadership  
21                  Committee for advice and review before final  
22                  publication and submission to Congress.

23                  “(g) DEFINITIONS.—For purposes of this section:

24                  “(1) MISSISSIPPI RIVER CORRIDOR.—The term  
25                  ‘Mississippi River Corridor’ shall mean the 246-

1 county region along the Mississippi River Main Stem  
2 as delineated in the 2016 U.S. Fish and Wildlife  
3 Service Upper Mississippi River Economic Profile  
4 and the 2014 Lower Mississippi River Conservation  
5 Committee Lower Mississippi River Economic Pro-  
6 file.

7 “(2) MISSISSIPPI RIVER STATE.—The term  
8 ‘Mississippi River State’ shall mean any of the ten  
9 States that touch the main stem Mississippi River  
10 which includes from north to south Minnesota, Wis-  
11 consin, Iowa, Illinois, Missouri, Arkansas, Kentucky,  
12 Tennessee, Mississippi, and Louisiana.

13 “(3) MISSISSIPPI RIVER MAIN STEM.—The term  
14 ‘Mississippi River Main Stem’ shall mean the pri-  
15 mary water channel that comprises the geographic  
16 norm of the Mississippi River flowing north to south  
17 from Lake Itasca to the Gulf of Mexico.

18 “(4) MISSISSIPPI RIVER BASIN.—The term  
19 ‘Mississippi River Basin’ shall mean the vast region  
20 of North America encompassing 31 States and two  
21 Canadian Provinces that drain in whole or in part  
22 into the Mississippi River Main Stem and subse-  
23 quently into the Gulf of Mexico.

1           “(5) ELIGIBLE STATE.—The term ‘eligible  
2 State’ shall mean the same as ‘Mississippi River  
3 State’ for purposes of this Act.

4           “(6) PARTICIPATING STATE.—The term ‘Part-  
5 ticipating State’ shall mean any State within the  
6 Mississippi River Basin that has been licensed to  
7 enter into agreements under the provisions of this  
8 Act;

9           “(7) LOCAL GOVERNMENT.—The term ‘Local  
10 Government’ shall mean a subdivision of government  
11 within the United States that is either a county or  
12 mayor-led municipality as recognized under the laws  
13 of the State such a locality resides.

14           “(8) CRITICAL NATIONAL INFRASTRUCTURE.—  
15 The term ‘Critical National Infrastructure’ shall  
16 mean built assets that make possible or contribute  
17 to interstate commerce, energy production, drinking  
18 water supply, the global commodity supply chain,  
19 downtown city centers or cores of counties or mayor-  
20 led municipalities.

21           “(9) MAJOR ECONOMIES.—The term ‘Major  
22 Economies’ shall mean the top ten economic sectors  
23 in terms of revenue generated and jobs supported as  
24 averaged over the five-year period under study for

1       an update to the Mississippi River Economic Profile  
2       as described in subsection (f)(1).

3           “(10) EXTRA-PROVISIONAL PROJECTS.—The  
4       term ‘Extra-Provisional Projects’ shall mean those  
5       projects not called for within the Comprehensive  
6       Mississippi River Restoration Plan as described in  
7       subsection (e)(4)(B).

8           “(11) DISADVANTAGED COMMUNITY.—The  
9       term ‘Disadvantaged Community’ shall mean those  
10      jurisdictions where not less than 15 percent of the  
11      population lives below the poverty line upon enact-  
12      ment of this Act and/or has met this threshold for  
13      at least half of the jurisdiction’s existence.

14          “(h) PROGRAM ADMINISTRATION.—The Mississippi  
15      River Program shall be administered under the following  
16      provisions:

17           “(1) AUDIT AND REPORT.—

18            “(A) AUDIT REQUIREMENT.—Not less fre-  
19           quently than every two years, each participating  
20      State shall conduct an audit of the grant funds  
21      and/or resources distributed to that State  
22      through provisions and relief offered under this  
23      Act.

24            “(B) REPORT.—Each participating State  
25      shall submit to the Program Office a biennial

1 report regarding the activities of the State  
2 under this section during the period covered by  
3 the report, including—

4 “(i) the result of any audit conducted  
5 by the State under subparagraph (A); and

6 “(ii) a review of the effectiveness of  
7 the grant funds allocated to the State with  
8 respect to—

9 “(I) the intended use of grant(s)  
10 allocated within the State; and

11 “(II) meeting the objectives de-  
12 scribed in subsection (e)(4).

13 “(2) REGULATIONS.—The Program Office shall  
14 promulgate such guidance or regulations as may be  
15 necessary to carry out this section, including guid-  
16 ance or regulations that—

17 “(A) ensure that each participating State  
18 to which funds are allocated under subsections  
19 (b), (d), and (f) uses the funds as efficiently as  
20 possible;

21 “(B) reduce, to the maximum extent prac-  
22 ticable, waste, fraud, and abuse with respect to  
23 the implementation of this Act;

24 “(C) ensure that subsection (e) is adhered  
25 in terms of projects awarded; and

1                 “(D) require any party that receives funds  
2                 directly or indirectly under this Act, including a  
3                 participating State and a recipient of amounts  
4                 from a grant, to use procedures with respect to  
5                 the management of the funds that conform to  
6                 generally accepted accounting standards.

7                 “(3) NONCOMPLIANCE.—Except as otherwise  
8                 provided, if a participating State local government,  
9                 or partner does not comply with subsection (e)(5),  
10                with respect to a grant, the Administrator shall re-  
11                allocate the grant in accordance with this subsection.  
12                Reallocation of grant funds shall begin with a return  
13                of unspent grant funds due to noncompliance to the  
14                Program Office accompanied by an audit and report  
15                as directed in subsection (h)(1).

16                “(4) EXCEPTION.—The Program Office may  
17                not reallocate any funds under subparagraph (A) to  
18                a participating State that triggered subsection (3)  
19                with respect to a grant made during the same fiscal  
20                year in which the funds to be reallocated were origi-  
21                nally made available.

22                “(5) ALLOCATION OF REMAINING FUNDS.—  
23                After allocating amounts made available to carry out  
24                this section for a fiscal year in accordance with  
25                paragraph (3), the Administrator shall allocate any

1 remaining amounts in the form of grants to the  
2 mayor-led municipality directly adjacent to the Mis-  
3 sissippi River Main Stem with the smallest popu-  
4 lation in each of the ten eligible States.

5 “(6) RESERVATION OF FUNDS.—The Program  
6 Office shall reserve not more than 1.5 percent of the  
7 amount made available to carry out subsection (e) in  
8 a fiscal year—

9                 “(A) for administrative costs incurred in  
10 carrying out this section;

11                 “(B) to provide technical assistance to re-  
12 cipients of grants under this subsection (e); and

13                 “(C) to enter into grant agreements with  
14 States, with the grant funds to be distributed—

15                         “(i) according to criteria established  
16 by the Program Office; and

17                         “(ii) for a purpose described in sub-  
18 section (f).

19 “(7) USE OF FUNDS.—Amounts deposited in a  
20 State through this Act, shall be used—

21                 “(A) consistent with subsections (e) and  
22 (f), to provide financial assistance for an eligi-  
23 ble State, local government, and non-profit or-  
24 ganization partner;

1               “(B) as a source of revenue and security  
2               for activities designated under this Act, the pro-  
3               ceeds of which shall be placed toward perform-  
4               ance as stated in an applicable grant agree-  
5               ment; or

6               “(C) for the sale of bonds as security for  
7               payment of the principal and interest on rev-  
8               enue or general obligation bonds issued by the  
9               participating State to provide matching funds  
10              under subsection (e), if the proceeds from the  
11              sale of the bonds are deposited with the partici-  
12              pating State.

13              “(8) PUBLICATION.—Each participating State  
14              shall publish and periodically update a list of all  
15              projects receiving funding under this Act, which  
16              shall include—

17              “(A) the location of each project;  
18              “(B) the type and amount of assistance  
19              provided for each project; and  
20              “(C) the expected funding schedule and  
21              date of completion of each project.

22              “(i) ADMINISTRATIVE AND TECHNICAL COSTS.—For  
23              each fiscal year, a participating State may use the amount  
24              described in subparagraph (6) to—

1           “(1) pay the reasonable costs of administration  
2       of the programs under this section, including the re-  
3       covery of reasonable costs incurred in establishing a  
4       project(s) funded through this Act;

5           “(2) provide appropriate oversight of projects  
6       authorized under this Act; and

7           “(3) provide technical assistance and outreach  
8       to recipients in the State of amounts under this sec-  
9       tion, including with respect to updating hazard miti-  
10      gation plans and participating in the Community  
11      Rating System, in an amount that is not more than  
12      5 percent of the funds made available to the State  
13      under this section.

14          “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
15       are authorized to be appropriated \$500,000,000 for each  
16       fiscal year beginning in 2022 and ending in 2027 toward  
17       the carrying out of this Act with the possibility of further  
18       authorizations beyond 2027.”.

